

### REMARKS

This Amendment responds to the Office Action dated January 11, 2005 in which the Examiner objected to the abstract, rejected claims 12-16 under 35 U.S.C. §101 and rejected claims 1-21 under 35 U.S.C. §103.

As indicated above, the abstract has been amended in order to delete legal claim language. Therefore, applicant respectfully requests the Examiner withdraws the objection to the abstract.

As indicated above, claim 12 has been amended to be directed to statutory subject matter. Therefore, applicant respectfully requests the Examiner withdraws the rejection to claims 12-16 under 35 U.S.C. §101.

Claims 1-2, 8, 10, 12 and 17 were rejected under 35 U.S.C. §103 as being unpatentable over *Dellert et al* (U.S. Patent No. 6,154,755) in view of *Wang* (U.S. Patent No. 6,069,715).

Applicant respectfully traverses the Examiner's rejection of the claims under 35 U.S.C. §103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, applicant respectfully requests the Examiner withdraws the rejection to the claims and allows the claims to issue.

*Dellert et al* appears to disclose a method for storing the digital images on a floppy disc and producing an index print of the images stored on the floppy disc. (Col. 1 lines 15-17) Referring to FIG. 1, a floppy disc index imaging system includes a scanner 10 for scanning images on developed photographic film 12. Images on the film 12 are scanned to produce digital images, and the splice bar codes are read and are supplied to a computer 14. The computer 14 is programmed to size the digital images from an individual film strip into "thumbnail" index images of

100.times.100 pixels, and format the images into an array. The array is sent to an index printer 16 which produces an index print 18 having an array of index images 20. (Col. 2 lines 30-43) Computer 14 sends the digital images and the application programs to a floppy disc writer and label printer 22 that writes the digital images and the application programs onto a floppy disc 24, and prints a label 26 and applies it to the floppy disc 24. (Col. 2 lines 54-58) The application programs are accessed by a user via the graphic user interface that is displayed on a monitor of the computer when the floppy disc is read on the personal computer. FIG. 2 is a first view of the user interface referenced as the "Images View". In the Images View, the thumbnail images 38 corresponding to the higher resolution images saved on disc 24, can be viewed. As illustrated in FIG. 2, the Images View allows the user to perform through the application programs, the following tasks: view the contents of the floppy disc 24 as an index display on the monitor; copy selected images form the floppy disc to a virtual image album in a memory (such as a hard drive) associated with the personal computer; create/rename/delete image categories with the image album; view the contents of the image album by various categories; rename images in the album and move between different categories; sort images by name and date in descending/ascending order; delete an image from the image album; export an image to a file; print a selected image or an index print of all the images on a printer attached to the personal computer; and get on-line help. (Col. 3 line 58 through Col. 4 line 11) The user can save copies of selected pictures from the floppy disc to the hard disk. A category can be assigned by the user to each image so the user can organize his pictures. An IMGALBUM folder is created and within it the THUMB and IMAGES folders ("folders" sometimes being referenced herein as "directories"). The

IMGALBUM folder contains the Albn.IDX file. This file stores the list of categories and the list of thumbnails of "organized" pictures. The Images folder contains the High resolution JPEG image. The THUMB folder contains the low resolution DIB file. When viewing the Images View screen of FIG. 2, the user can select one or more images and click on the "Save in folder" command in the File menu. The application program then executes the routing outlined in the flowchart of FIGS. 7A and 7B according to the following steps: Open the file "Album.IDX" 180. Create a new in memory category list 182 from the index file. Create 184 a new in memory image object list from the index file. If the thumbnail and higher resolution images were saved as uncompressed images (Version 1), then they are converted to JPEG compressed images according to steps 188-196 in FIG. 7. Then, for each selected image, create a new image object 198 and add it to the image object list 200. Write out the new category list. Write out the new image object list. Save the category list and image object list 202, 204 in the index file Album.IDX. Save the thumbnail to the \THUMB directory 206. The high resolution images are then saved to the \IMAGES directory by either of two methods. Namely, if the Image is from the floppy 208, copy the JPEG from the floppy 210. Otherwise, export the file as a JPEG file 212. The routine is then exited 214. (Col. 5 lines 8-38) The group of thumbnails displayed in the Images View screen of FIG. 2 can be printed by selecting the Print Thumbnails command from the File menu. When this is selected, the applications program proceeds through the following steps: Retrieve the printer metrics (the dpi and size of paper) 150 from the printer driver. Set the gap 152 between thumbnail frames to 0.1". Set the frame dimensions 154 of the thumbnail to 1.5".times.1.5". Compute the maximum number of rows and columns per page 156. Loop through the following

sequence for each selected image 158. Draw the outline of the thumb 160. Print the image title 162. Print the image timestamp 164 associated with the image. Retrieve the high resolution image 166. Determine how much high resolution data is needed to fill the thumbnail from the page 168. Print the thumbnail 170 then exit the routine 172. (Col. 6 lines 22-37)

Thus, *Dellert et al* merely discloses printing a group of thumbnails displayed in an image view screen by selecting a command from a file menu, drawing the outline of the thumb 160, printing the image title 162, printing the image time stamp 164 and printing the thumbnail 170. (Col. 6, lines 32-38) Nothing in *Dellert et al* shows, teaches or suggests a) printing index data including reading condition data detected during reading a document image as claimed in claims 1 and 8, b) transmitting index data, including reading condition data detected during reading a document image, to an image input device as claimed in claim 10, c) issuing instructions to print index data including reading condition data acquired of a document image as claimed in claims 12 and 17. Rather, *Dellert et al* merely discloses printing a group of thumbnails including printing an image title 162, printing an image time stamp 164 and printing the thumbnails 170.

*Wang* appears to disclose a scanner with an automatic document feeder (ADF) and single-side/double-side document scanning modes. (Col. 1 lines 6-8) Referring to FIGS. 5 and 6, the step of separating and feeding a document sheet is illustrated. Some stacked document sheets are put in the document input tray 31, and a document sheet on the top of the stacked document sheets is then separated and fed into the front section of the document sliding channel 315 by the document separating roller 311 and the pressing plate 312. Transported by the document enter

rollers 313, the document sheet is continuously fed into the opened section of the document sliding channel 315 and smoothly slides on the top surface of the base 4. The digital image capture device 37 catches the image of the document sheet from the scanning window during the document feeding. Since there exists an inclined angle between the document guiding plate 34 and the top surface of the base 4, when the front edge of the document sheet touches the document guiding plate 34, this document sheet is fed into the rear section of the document sliding channel 315 toward the output tray 32. Then, the document exit rollers 314 deliver the document sheet to the output tray 32, and the single-side image scanning procedure of the scanner in the single-scanner mode is finished. (Col. 3 line 59 through Col. 4 line 12)

Thus, *Wang* merely discloses scanning a document. Nothing in *Wang* shows, teaches or suggests a) printing index data including reading condition data detected during reading of a document image as claimed in claims 1 and 8, b) transmitting index data including a reading condition detected during reading a document image, to an image input device as claimed in claim 10, or c) issuing instructions to print index data including reading condition data acquired from a document image as claimed in claims 12 and 17. Rather, *Wang* merely discloses scanning a document.

A combination of *Dellert et al* and *Wang* would merely suggest to scan a document as taught by *Wang* and to output thumbnail images as taught by *Dellert et al*. Thus, nothing in the combination of the references shows, teaches or suggests the primary features as discussed above with regard to claims 1, 8, 10, 12 and 17. Therefore, applicant respectfully requests the Examiner withdraws the rejection to claims 1, 8, 10, 12 and 17 under 35 U.S.C. §103.

Claim 2 depends from claim 1 and recites additional features. Applicant respectfully submits that claim 2 would not have been obvious within the meaning of 35 U.S.C. §103 over *Dellert et al* and *Wang* at least for the reasons as set forth above. Therefore, applicant respectfully requests the Examiner withdraws the rejection to claim 2 under 35 U.S.C. §103.

Claims 3-4, 6, 9, 11 and 13-15 were rejected under 35 U.S.C. §103 as being unpatentable over *Dellert et al* in view of *Wang* and *Takayanagi* (U.S. Patent No. 5,680,226). Claim 5 was rejected under 35 U.S.C. §103 as being unpatentable over *Dellert et al* in view of *Wang*, *Takayanagi* and *Parry* (U.S. Patent No. 6,148,331). Claims 7 and 16 were rejected under 35 U.S.C. §103 as being unpatentable over *Dellert et al* in view of *Wang* and *Saukkonen* (U.S. Patent No. 6,011,590).

Applicant respectfully traverses the Examiner's rejection of the claims under 35 U.S.C. §103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, applicant respectfully requests the Examiner withdraws the rejection to the claims and allows the claims to issue.

As discussed above, since nothing in the combination of *Dellert et al* and *Wang* shows, teaches or suggests the primary features as claimed in claims 1, 8, 10 and 12, applicant respectfully submits that the combination of the primary references with the secondary references would not overcome the deficiencies of the primary references. Therefore, applicant respectfully requests the Examiner withdraws the rejection to claims 3-7, 9, 11 and 13-16 under 35 U.S.C. §103.

Claims 18-21 were rejected under 35 U.S.C. §103 as being unpatentable over *Dellert et al* in view of *Takayanagi*.

Applicant respectfully traverses the Examiner's rejection of the claims under 35 U.S.C. §103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, applicant respectfully requests the Examiner withdraws the rejection to the claims and allows the claims to issue.

As discussed above, *Dellert et al* merely discloses printing a group of thumbnails including printing an image title and image time stamp. Nothing in *Dellert et al* shows, teaches or suggests outputting generated index data which includes a generation condition when the image data is generated as claimed in claim 18. Rather, *Dellert et al* merely discloses printing an image title and image time stamp on a group of thumbnails.

*Takayanagi* appears to disclose a multifunctional image recording apparatus in which multi-level images and two-level images are read by a plurality of image input means and are printed. (Col. 1 lines 7-10) FIG. 2 is a perspective view showing the outline of a digital electrophotographic copying apparatus. The apparatus has a first image input device 20 for reading a document as digital image data DT (which is, in this embodiment, 8-bit multi-tone image data), a second image input device 60 for receiving two-level image data, an image storage device 80 for storing the image data DT obtained from the first image input device 20 or the second image input device 60, an image printer 90 for carrying out an electrophotographic process based on the image data DT' stored in the image storage device 80, a user interface 120 for designating the contents of a reproduction job and for checking the contents of printing, and a controller (not shown) for correlatively controlling the first image input device 20, the second image input device 60, the image storage device 80 and the image printer 90 in accordance

with the instructions supplied through the user interface 120. In this embodiment, all images are once stored in the image storage device 80. Accordingly, a plurality of copies can be obtained from one document by a single scanning operation in the image input device 20. (Col. 4 lines 11-32)

Thus, *Takayanagi* merely discloses an image storing device 80 for storing image data obtained from first and second image input devices 20, 60. Nothing in *Takayanagi* shows, teaches or suggests outputting generated index data including a generation condition acquired when the image data is generated as claimed in claim 18. Rather, *Takayanagi* merely discloses a storing device 80.

The combination of *Dellert et al* and *Takayanagi* would merely suggest to include the storing device of *Takayanagi* for storing the thumbnail pictures as taught by *Dellert et al*. Thus, nothing in the combination of the references shows, teaches or suggests outputting generated index data including a generation condition acquired when the image data is generated as claimed in claim 18. Therefore, applicant respectfully requests the Examiner withdraws the rejection to claim 18 under 35 U.S.C. §103.

Claims 19-21 depend from claim 18 and recite additional features. Applicant respectfully submits that claims 19-21 would not have been obvious within the meaning of 35 U.S.C. §103 over *Dellert et al* and *Takayanagi* at least for the reasons as set forth above. Therefore, applicant respectfully requests the Examiner withdraws the rejection to claims 19-21 under 35 U.S.C. §103.

Thus it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.



If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is respectfully requested to contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, applicant respectfully petitions for an appropriate extension of time. The fees for such extension of time may be charged to our Deposit Account No. 02-4800.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 02-4800.

Respectfully submitted,

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